Franz Kafka's *The Trial* is a novel written in 1914 about the curious arrest, investigation, and trial of the banker Josef K., who lives in a fictitious state in eastern Europe. Widely praised for its foresight concerning future totalitarian states, *The Trial* is frightening in its depiction of justice and frustrating in its depiction of the protagonist's attempts to confront the charges against him. Nawal el Saadawi's *Memoirs From the Women's Prison* is an autobiographical account of her arrest, imprisonment, and trial under the Egyptian leader Sadat in 1981 during Sadat's execution of Law No. 95, 'Protection of Values from Shame.' Saadawi's manuscript serves as a testimonial, describing her own incarceration and mirroring the experiences of a majority of intellectuals throughout the Arab states: that of imprisonment for political ideas. A close examination of the two books reveals the many similarities between the novel and the memoir, despite their being written seventy-five years apart in two different languages and cultures, the German of Prague on the eve of World War I and the Egypt of postcolonial Cairo. Areas where the two works contrast suggest that Saadawi's memoir is a feminist rereading of Kafka's classic novel suggesting the necessity of resistance to imprisonment of all kinds.

The similarities between the two pieces begin with the arrests of the protagonists. Both citizens are arrested in their homes. Saadawi sits in her flat writing a novel when a horde of armed policemen begin banging on her door. When she demands to see their warrant, the men break down her door and forcibly take her away in their car to the Barrages Women's Prison. Josef K. has his home already infiltrated before he can protest: when he rings from his room in a boarding house for his breakfast to be brought up, an official-looking stranger answers his call. This man is one of three uniformed but unarmed court officials who have come to inform him of his arrest. For K., however, the arrest sequence ends there: he is not taken anywhere, but rather merely informed that he may continue his life as he wishes, with the knowledge that he has been placed under arrest.

Having been arrested, both defendants acquire lawyers who attempt to feature prominently in their respective defenses but remain unable to prove their clients' innocence. Nawal el Saadawi's lawyer is employed on her behalf by her husband. Through a letter from him, she learns of the activities and frustrations of her lawyer:

>'The Socialist Prosecutor has begun the investigations. We've engaged the services of an excellent lawyer for you. To this day, the lawyer has not learned the nature of the charges against you, and he does not know the day or the hour in which you'll appear for investigation before the Socialist Prosecutor. But he goes every day to the Bureau of the Socialist Prosecutor so that he'll be waiting for you whenever you arrive.' (Saadawi 1986, 139)

Although she respects the diligence of her lawyer, Saadawi never blindly follows his instructions; when her hearing eventually occurs, she does not heed his suggestions to stop her confrontation of the judge. K. does not have a lawyer at his initial hearing. Rather, he is urged to employ one at the insistence of his uncle, who takes K. to see an old classmate and lawyer friend of his for this purpose. K.'s lawyer, while also unaware of the charges against his client, apparently spends his time at secret meetings with court officials of varying power, clandestine exchanges of information which are ultimately supposed to bring him enough information about K.'s case so that he can make the petitions he is preparing on K.'s behalf relevant to K.'s defense. While in Saadawi's case the lawyer remains patient and respectful throughout her ordeal, K.'s lawyer attempts to make K. dependent on him by drawing K. deeper and deeper into Kafka's fictional vision of totalitarian justice. On one occasion, he summons another client in K.'s presence; the lawyer's miserable, degrading treatment of the accused merchant Block is supposed to demonstrate for K. how kind the lawyer is being to him. In another instance, the lawyer emphasizes the dependence of defendants on lawyers in Kafka's skewed judicial system: "[O]nce a defendant has engaged a particular lawyer, he has to stick with him no matter what. How could he possibly sustain himself alone, once he has enlisted aid?" (Kafka 1998, 121). Late in his trial, K. finally fires his lawyer, but by then it is too late; K. has already
taken to heart the lawyer's admonition that "it's often better to be in chains than to be free" (Kafka 1998, 190). Thus during the course of their respective trials, Saadawi, with support from her husband and lawyer, retains some independence from the court system while K., with encouragement from his uncle and lawyer, increasingly becomes dependent on judicial bureaucracy.

Notwithstanding the differences in their degree of dependence on the judicial system, the actual trials of the two defendants are amazingly similar. Both defendants are given no information about the charges against them and very minimal information about where and when the actual hearing is supposed to take place. K. receives a phone call giving him a day and an address, but no set time, to appear at. When he reaches the address, however, he finds rather than a courthouse a labyrinthine apartment building. Forced to search room to room disturbing the residents, K. at last is welcomed into an apartment whose back room is a large law chamber. The packed room is full of muttering scholars and a magistrate who immediately informs the disoriented K. that "You should have been here an hour and five minutes ago...now I'm no longer required to examine you...however, I'll make an exception for today" (Kafka 1998, 43). Similarly, Saadawi is abruptly pulled from her cell one morning and driven to the courthouse in Cairo. When she arrives, she learns that her guards have no idea where the office of the prosecutor is, and she and her entourage are forced to run from floor to floor in search of her hearing, much as K. scrambled through the apartment building. Like K., upon entering the courtroom Saadawi is immediately told that she has arrived at the incorrect time:

'Your session was scheduled for yesterday,' I heard him say. 'Why did you fail to attend yesterday?...'...I knew nothing about this appointment until this morning. Moreover, don't you know where I am? I'm in the prison! How could I come to you except by means of the police?'
'I have nothing to do with the police,' he replied. 'It was imperative that you be here yesterday. Anyway, we will begin investigating your case now.' (Saadawi 1986, 154)

In addition, both Saadawi and K. begin their court sessions with lengthy rants about the unfairness of their treatment so far, the laws which have been broken during their treatment, and the weaknesses of the current court system in general. Both appeals fall on deaf ears. Neither hearing accomplishes anything of any importance, and both defendants leave having been assured that their presence will be required again in the near future as more evidence is brought to bear and their cases progress.

In the early part of their respective imprisonments, both protagonists believe that they are really, truly, innocent, despite the fact that neither is aware of the laws pertaining to their particular situation or the charges being brought against them. Indeed, this is one of the strongest similarities between the two characters. In both cases, this insistence first emerges during the disbelief of the arrest scene. Asserting her innocence, Nawal el Saadawi verbally accosts the officer whom she has been seated next to in the police car, claiming that he has broken several laws by assaulting her and searching her home, not to mention taking her away. The officer, however, claims that his actions were legal under new edicts which she is not aware of:

'You broke down the door. That's a crime punishable by law.'
He smiled sarcastically. 'What law? Didn't you hear yesterday's speech?'
'What speech?'
The speech given by the President of the Republic...Sadat.'
'I don't listen to speeches.'
'If you'd heard it, you'd know everything...why we came to you and where we are taking you.' (Saadawi 1986, 10)

Similarly, when K. is arrested the officers speak to each other as he expresses his disbelief: "You see, Willem, he admits that he doesn't know the Law and yet he claims he's innocent" (Kafka 1998, 9). Despite their admitted ignorance of the law, both protagonists are quite convinced that they are innocent. In *The Trial*, K.'s moral innocence is immediately established by the tone of the opening sentence: "Someone must have slandered Josef K., for one morning, without having done anything truly wrong, he was arrested"
The translator, Breon Mitchell, harps on the subtlety of this claim to innocence in his introduction:

A further problem is posed by 'Boses,' a word that, when applied to the actions of an adult, reverberates with moral and philosophical overtones ranging from the story of the Fall in the Garden of Eden to Nietzsche's discussion of the origins of morality...To claim that K. has done nothing 'Boses' is both more and less than to claim he has done nothing wrong. Josef K. has done nothing truly wrong, at least in his own eyes. (Kafka 1998, xix)

After his arrest, K. is at no point physically incarcerated in an actual prison. In fact, he is encouraged to go on with his normal, daily life, with the exception of having to appear before a hearing at regular, prescheduled times.

It is when she finally arrives in the correct waiting room after rushing from flour to flour with her escort in search of the Socialist Prosecutor's office for her hearing that Saadawi makes her only explicit reference to the resemblance between her own situation and K.'s: "I'm walking with slow steps, doubting that I am awake. Maybe I'm dreaming, or perhaps I'm watching a play or a chapter from Kafka's novel The Trial" (Saadawi 1986, 146). Her reference suggests that during the remainder of her description of her hearing, she is emphasizing the similarities between her own situation and K.'s. More importantly, her reference reminds the reader to contrast the two characters: although their trial scenes are virtually identical, they have opposite reactions to their lengthy ordeals. Saadawi in her physical imprisonment remains strong while K. in his physical freedom becomes weak and begins to doubt his own judgment.

Despite his apparent freedom, K. becomes more and more obsessed with his trial and with the possibility of his own guilt. While neither prisoner is ever informed of the exact charges being brought, Saadawi firmly believes herself to be fully innocent: all she has ever done, in her mind, is to write her opinions. K., however, is much more confused. At times he wills himself to be innocent: "Above all, if he wanted to get anywhere, he had to reject the notion of any possible guilt right from the start. There was no guilt" (Kafka 1998, 125). But his will to be innocent is, for him, in direct contradiction with the fact that he has been arrested. The authorities know better, he reasons; there must be something he has done wrong: "[W]ithout knowing the nature of the charge and all its possible ramifications, his entire life, down to the smallest actions and events, would have to be called to mind, described, and examined from all sides" (Kafka 1998, 127). Indeed, at several points during the novel K. does resolve to write and submit a written defense to the court in which

[H]e would offer a brief overview of his life, and for each event of any particular importance, explain why he acted as he did, whether in his present judgment this course of action deserved approval or censure, and what reasons he could advance for the one or the other. (Kafka 1998, 111-112)

Each time K. makes this resolve, though, he finds himself so exhausted by the thought of such a major effort that he never even begins to work on it.

In contrast to K.'s increasing self-doubt, Nawal el Saadawi makes a firm commitment to resist and to help others around her to resist as well: "From the moment I opened my eyes upon my first morning in prison, I...made a decision: I would live in this place as I had lived in any other" (Saadawi 1986, 35). As a leftist and a women's and human rights activist, Saadawi's publications have been consistently labeled by the Egyptian regime as radical and controversial. Although she doesn't know the specific charges against her, she believes the only possible way to fabricate charges against her would be based entirely on examination of her writings. Thus, Saadawi repeatedly invokes the ideals of democracy and of freedom of speech in her defense.

Unlike K., who is alone but not actually incarcerated, Saadawi is physically imprisoned, along with thirteen other women, in the Barrages Women's Prison in a cell for political prisoners. In fact, not all of the women in her cell even have political agendas. Saadawi recounts catching up with friends and colleagues whom she has been imprisoned with, secretly teaching an illiterate prisoner to read, arguing with another prisoner
about scientific socialism, and sobbing when the only Christian in the cell was taken away as part of an order to separate Christians and Muslims, activities portrayed as not too different from those in her normal, outside life. As a class of inmates, the political prisoners are allowed considerably less freedom than the other prisoners: they are forbidden from talking with other prisoners and from walking in the common courtyard, transparent attempts to keep these politically "dangerous" women from learning anything of the outside world. However, as political prisoners rather than common thieves, drug dealers, or prostitutes, the women are accorded a great deal more respect by the prison guards than the other inmates. For example, they are allowed to eat fresh bread bought from outside the prison, and their demands to receive clothes from home and to block the gaps in their cell walls are quickly met.

It is in this environment that Saadawi successfully carries out her resolve to live in prison as she has any place else: according to her normal routine, and with her usual zeal for resisting oppression of all kinds. Besides commiserating with, helping, and teaching her fellow prisoners, she plants a small garden in the minute outside space which she and her cellmates are allowed to enter. This physical act of planting, which for Saadawi is emotionally laden with echoes of the work performed by her peasant family, even carries her away until at one point she declares "How many hours of that day passed as I worked with the hoe? I don't know. But I was oblivious to time, as one hour followed another. I forgot that I was in prison" (Saadawi 1986, 85). More importantly, Saadawi exercises each morning. In postcolonial Egypt, where women typically either engage in backbreaking physical labor or are ignorant of their bodies, Saadawi makes a routine of rejoicing in her body:

Every dawn I wait for him, and I hear him. I raise my head towards the piece of sky visible through the bars. I can't see the curlew. I'm satisfied just to hear him without seeing him. Enough that I hear, and that I can move my arms and legs, and jump up and down on the floor of the cell, that my heart beats, the sweat pours, my body goes under the shower and the thick water falls. (Saadawi 1986, 100)

In time, other nonpolitical prisoners come to stand outside her cell and join her exercising, an act which alarms the prison authorities who are terrified because "[a]ny organized group movement, even if it be merely bodily exercise or dancing, establishes a rhythm in the mind and body which resembles the pattern of revolution or revolt" (Saadawi 1986, 97). In this way, Saadawi is able to keep herself strong. Her physical resistance is in sharp contrast to K.'s. K.'s physical strength comes into question when he ventures into the waiting halls of the law offices, lined with other defendants patiently and hopelessly sitting in the stifling air of obscure attics: "His normally sound constitution had never provided him with such surprises before. Was his body going to rebel and offer him a new trial"? (Kafka 1998, 79). The stricken K. can not conceive of a way to physically resist the affects of his trial.

In addition to her exercising and her growing solidarity with the other prisoners, Saadawi is also able to resist her imprisonment by writing clandestinely at night. On several occasions during her time in prison, various authorities compare a pen with a pistol, and writing, even with an eye liner, is strictly forbidden inside the political women's cell. At one point Saadawi declares in frustration that "[i]n prison, among the losses a prisoner sustains is the loss of profession" (Saadawi 1986, 106). Nonetheless, she is able to practice her craft in secret, and does so regularly. Thus while Saadawi's response to imprisonment is to continue with her profession against all orders, K., who is allowed to continue his work as a bank official, begins to convince himself that his trial will require giving up his trade:

"[D]idn't a painstaking defense simultaneously imply the necessity cutting himself off as far as possible from everything else? Would he successfully survive that?...While his trial rolled on, while the officials of the court were up in the attic going over the trial documents, he was supposed to conduct bank business? Didn't that seem like a form of torture, sanctioned by the court, a part of the trial itself, accompanying it?" (Kafka 1998, 132)

Indeed, while Saadawi believes from the beginning that she will survive if she can maintain her own identity even while in prison, K. finds that his identity has become a tiresome burden: "[H]e recalled how openly he had always said his name; for some time now it had been a burden, and people he met for the
first time already knew his name" (Kafka 1998, 212). Indeed, not only do complete strangers know his name, they also know all about his trial and reveal themselves as members of Kafka's totalitarian judicial system.

By the end of the novel, Josef K. is hopelessly unable to fight against the all-powerful bureaucracy in his life. In the final scene, he is taken away from his home by guards, and it is understood that he is to be executed by them. So successful has his trial been, however, that at the very end K. is simultaneously convinced of his own guilt and too weak to act upon this knowledge. Having been placed upon a rock guillotine in an out of the way quarry, K. watches helplessly as his execution proceeds:

Then one man...drew forth a long, thin, double-edged butcher knife, held it up, and tested its sharpness in the light. Once more the nauseating courtesies began, one of them passed the knife across K. to the other, who passed it back over K. K. knew clearly now that it was his duty to seize the knife as it floated from hand to hand above him and plunge it into himself. But he didn't do so; instead he twisted his still-free neck and looked about him. He could not rise to the occasion, he could not relieve the authorities of all their work; the responsibility for this final failure lay with whoever had denied him the remnant of strength necessary to do so. (Kafka 1998, 230)

In opposition to K.'s powerlessness, Nawal el Saadawi, even in her darkest hour after Sadat has been assassinated, fellow prisoners in the men's prison have started to die of cold and starvation, and it is unclear if she and her cellmates will ever be released, rallies her comrades:

Death is approaching us -- are we going to stay quiet about it? Are we going to die? The rebellious demon inside me woke up, repeating his words over and over: We will not die. If we are to die, we will not pass in the night without creating an uproar! We must rage and rage!...We began knocking at the bars on the door, calling out all together: 'We will destroy this prison! We will not die without noise!' (Saadawi 1986, 183-184)

Indeed, Saadawi consistently displays remarkable strength and power throughout her imprisonment.

Saadawi's self-confidence and her firm belief that her imprisonment will end allow her to maintain her confidence and therefore aid her in her survival. As Saadawi herself says:

"[T]orture in prison does not take place by means of the bars, or the walls, or the stinging insects, or hunger or thirst or insults or beating. Prison is doubt. And doubt is the most certain of tortures. It is doubt that kills the intellect and body -- not doubt in others, but doubt in oneself...The baffling, crushing question for the mind: was I right or wrong?" (Saadawi 1986, 136)

Saadawi only doubts herself once, when she is uncertain if she should have trusted another prisoner to carry a letter outside to her husband. She never doubts that she is morally right. In addition, Saadawi believes that her imprisonment will end. Indeed, she even looks forward to a short prison stay as part of her insatiable desire for experience and education:

This was my first experience in prison, and I've always had an odd passion for 'firsts'...[I]n my opinion, it [prison] is like death in that it is worth discovering...There is a difference, of course, between prison and death: it is possible for one to leave prison and return to normal life, telling people what one has seen. (Saadawi 1986, 39).

Her belief in her eventual release is based both on her own certainty and on her knowledge that a large international community of supporters is protesting Sadat's sudden imprisonment of various Egyptian intellectuals.

While K. is at first likewise optimistic about his eventual release, he becomes much less so as his trial drags on. At one point he is told by a painter he has been sent to that there are three outcomes to a trial: actual acquittal, apparent acquittal, and protraction. While actual acquittal is in theory guaranteed if the defendant is innocent, no one has ever known of it happening outside of legends from the earlier days of the court.
Apparent acquittal involves a complicated series of petitions and signatures which have the possibility of gaining the defendant an acquittal at the lowest level of the court -- the case is then passed on to the next level, the defendant is arrested again, and so on to the next level and the next, until the highest level; the endeavor is implied to be a basically indefinite process. Protraction is even worse; it involves constant vigilance and bureaucratic bickering, with the idea of keeping the trial tied up in the lowest court. This process, too, is implied to have indefinite length. Although these seemingly hopeless outcomes can be cited as the reason for K.'s despondency in the face of his trial, they cannot explain all of K.'s reaction. Indeed, in the very conversation where these outcomes are explained to K., he is already insisting on the indefinite continuation of the trial:

'Are you innocent?' he [the painter] asked. 'Yes,' said K. Answering this question was a positive pleasure, particularly since he was making the statement to a private citizen, and thus bore no true responsibility. No one had ever asked him so openly. To savor this pleasure in full, he added: 'I am totally innocent.' 'Well then,' said the painter, bowing his head and apparently considering this. Suddenly he lifted his head again and said: 'If you're innocent, then the matter is really quite simple.' K.'s face clouded over; this so-called confident of the court was talking like an ignorant child. 'My innocence doesn't simplify the matter,' said K. He had to smile in spite of himself and shook his head slowly. 'A number of subtle points are involved, in which the court loses its way. But then in the end it pulls out some profound guilt from somewhere where there was originally none at all.' (Kafka 1998, 148-149)

K.'s smug insistence on the ability of the court to find guilt even as he insists there is none clearly shows that he has bought into the myth of an all powerful judicial system.

In Kafka's totalitarian world, it is the lawyers who have the role of convincing defendants of the omnipotent nature of the judicial system and of upholding the system's corrupt and complex structure:

For the lawyers -- and even the least important of them has at least a partial overview of the circumstances -- are far from wishing to introduce or carry out any sort of improvement in the court system while -- and this is quite characteristic -- almost every defendant, even the most simple-minded among them, starts thinking up suggestions for improvement from the moment the trial starts, and in doing so often wastes time and energy that would be better spent in other ways. The only proper approach is to learn to accept existing conditions. Even if it were possible to improve specific details -- which, however, is merely an absurd superstition -- one would have at best achieved something for future cases, while in the process damaging oneself immeasurably by having attracted the attention of an always vengeful bureaucracy. Just don't attract attention! Keep calm, no matter how much it seems counter to good sense. Try to realize that this vast judicial organism remains, so to speak, in a state of eternal equilibrium, and that if you change something on your own where you are, you can cut the ground out from under your own feet and fall, while the vast organism easily compensates for the minor disturbance at some other spot -- after all, everything is interconnected -- and remains unchanged, if not, which is likely, even more resolute, more vigilant, more severe, more malicious. (Kafka 1998, 119-120)

Clearly, this passage sums up K.'s position: as a defendant, he has tried and failed to reform the "always vengeful bureaucracy." He has then been left with no hope of either achieving an acquittal or bettering the judicial system, to the point where, as he is being led to his execution in the final scene of the novel, he believes that resistance will achieve nothing: "[T]he futility of resistance was suddenly clear to him. There would be nothing heroic in resistance, in making trouble for these men, in trying to enjoy a final vestige of life by fighting back" (Kafka 1998, 227). Saadawi has the opposite reaction. The extended passage from Kafka is striking precisely because it is a direct allegory of Saadawi's life thesis. Substituting men for lawyers, women for defendants, and society for the legal system, the excerpt sums up Saadawi's main criticisms of patriarchal society, and her reaction to the power structures she sees repeated in the prison. This theme is also the subject of several of Saadawi's other books. In God Dies By the Nile, the mayor of a small peasant village is responsible for the murder, imprisonment, impregnation, and ostracization of several of his citizens. Only those who support or "accept existing conditions" are spared. In the final scene, one peasant woman kills the mayor. However, because this woman continues to think of the fallen mayor as "God," there is little doubt that the oppressive power system remains in place, if only in the
consciousness of its victims. Saadawi's novel *Woman at Point Zero* describes the life of a woman who, forced into prostitution by uncle, husband, and lover, eventually embraces the profession as a way of asserting her own power. Firdaus, the protagonist, explains that she prefers prostitution to other professions because now she sells what other women give away in hopes of securing or bettering their careers. After Firdaus overcomes her fear and kills the man who insists on being her pimp and taking her earnings, however, she is executed. She dies having “improve[d] specific details” in her life, for much of her adult life was spent in relative luxury and she has an uncommon amount of self-confidence, but ultimately she cannot escape the harsh penalties of the society which has become, in its punishment of her, "even more resolute, more vigilant, more severe, more malicious". Throughout her works, Saadawi emphasizes the continued oppression of women in a rigid patriarchal society, and the relative futility but absolute necessity of fighting against the prevailing culture. Her belief in the necessity of resistance, an integral part of both her personality and her feminist ideology, is what keeps her from succumbing to the judicial system.

The story of Josef K. is a fictional creation of Franz Kafka, detailing the destructive power of an imagined justice system; Saadawi's work is actually her personal memoir. While parts of the memoir are almost certainly fictionalized, and, indeed, parts of it are probably fictionalized in such a way as to resemble Kafka's novel, ultimately the intensity of Saadawi's publication comes from the fact that it is of a different genre entirely than Kafka's work: it draws on decades of feminist thought and practice in the Arab world. As a memoir, it serves to tell readers more about her personality and her life. As a testimonial, it speaks for both the victims of Sadat's orders and the despotic policies of others like him throughout the Middle East and North Africa. The novel can more easily show the weakness of the protagonist; the memoir can more easily expose the reality of such a horrific situation. But the novel, written over sixty years later, also compares the experiences. Saadawi links her own struggle in prison to both her struggle against the oppressive and very real society in which she lives and to the struggle against the totalitarian thought-prison of Kafka's unjust fictionalized world, suggesting that her persistent will to resist is what allowed her to triumph. While K.'s story is a depressing and cautionary tale, Saadawi's narrative is a celebration of the survival of a generation of intellectuals imprisoned for their political beliefs and an affirmation of the necessity and joy of living a life of constant struggle.

**Works Cited**